

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FRANCISCO MERINO,
Plaintiff,

v.

VIVIAN VUONG,
Defendant.

No. 2:21-CV-0826-KJM-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided by Eastern District of California local rules.

On December 14, 2021, the Magistrate Judge filed findings and recommendations, which were served on the parties and which contained notice that the parties may file objections within the time specified therein. Timely objections to the findings and recommendations have been filed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a *de novo* review of this case. Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.


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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed December 14, 2021, are adopted in full;
2. This action is dismissed in its entirety for failure to state a claim;
3. All pending motions, ECF Nos. 25, 26, 28, and 36, are denied as moot; and
4. The Clerk of the Court is directed to enter judgment and close this file.

DATED: October 11, 2022.


CHIEF UNITED STATES DISTRICT JUDGE